

*The UNEP Regional Seas Programme: Bridging the Governance
Gap
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Outline

I. Background

- Regionalism
- 1972 Stockholm Conference
- 1982 UN Convention on the Law of the Sea Part IX

II. Current status

- Comparative analysis

III. Gaps

IV. Conclusion: Bridging the gaps

I.BACKGROUND

- 1972 UNCHE and Stockholm Declaration lead to creation of UNEP (Res. 2997 (XXVII) 15 December 1972)
- Role of regionalism for marine protection
- 1982 UN Law of the Sea Convention
 - Part IX on enclosed and semi-enclosed seas
 - Article 123 mandate for regional co-operation in

1982 LOSC: Article 123

- States bordering an enclosed or semi-enclosed sea should co-operate with each other in the exercise of their rights and in the performance of their duties under this Convention. To this end they shall endeavour, directly or through an **appropriate regional organisation**:
 - (a) to co-ordinate the management, conservation, exploration and exploitation of the living resources of the sea;
 - (b) to co-ordinate the implementation of their rights and duties with respect to the protection and preservation of the marine environment;
 - (c) to co-ordinate the scientific research policies and undertake where appropriate joint programmes of scientific research in the area;
 - (d) to invite, as appropriate, other interested States, or international organisations to co-operate with them in furtherance of the provisions of this article.

UNEP Regional Seas Programme

Background

- 1st programme established 1974 (Mediterranean Sea)
- More than 140 countries today
- 13 Regional Seas Programmes established under the auspices of UNEP: Black Sea, Wider Caribbean, East Asian Seas, Eastern Africa, South Asian Seas, ROPME Sea Area, Mediterranean, North-East Pacific, North-West Pacific, Red Sea and Gulf of Aden, South-East Pacific, Pacific, and Western Africa.
- 5 Partner Programmes: Baltic (HELCOM), Arctic, Antarctic, Caspian, North-East Atlantic (OSPAR)
- Six are UNEP administered
- Non-UNEP administered

UNEP Regional Seas Programme

- Structure of the “RSP”

1. Science And Policy

Transboundary Diagnostic Analysis (TDA)

Strategic Action Plan (SAP)

2. Legal And Institutional

- Framework Convention
- Protocols
- Secretariat/Regional Coordinating Units
- Subsidiary Bodies (Eg.Regional Activity Centers)
- Finance

II. Current status

UNEP Global Strategic Directions 2008-2012

- ▶ **1. Enhance the sustainability and effectiveness of Regional Seas Programmes through increasing country ownership, incorporating Regional Seas conventions and protocols into national legislation, promoting compliance and enforcement mechanisms, involving civil society and the private sector, building capacities, ensuring viable national and international financial arrangements, as well as developing assessment/evaluation procedures where appropriate.**
- ▶ **2. Contribute to the *implementation of the Beijing Declaration* of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities, especially the provision related to the development and implementation of protocols addressing land-based pollution sources and activities.**
- ▶ **3. Strengthen *regional cooperation* on preparedness and response to pollution from maritime accidents with the International Maritime Organization (IMO) and promote the implementation, as pertinent, of the IMO conventions.**
- ▶ **4. Contribute to the effective implementation of the *2010 biodiversity targets* and the *WSSD Plan of Implementation targets* for promoting the establishment of networks of marine and coastal protected areas and planning of proper coastal land and watershed use by 2012 including the designation of important wetlands under the Ramsar Convention**
- ▶ **5. Emphasize the need to implement the *ecosystem approach in integrated marine and coastal management (IMCAM)* as an overarching management framework for addressing threats to the sustainability of regional seas.**
- ▶ **6. Assess and address the impact of *climate change* on the marine and coastal environment, in particular, the potential social, economic and environmental impacts and consequences on fisheries, tourism, human health, marine biodiversity, coastal erosion, and small islands ecosystems. Promote cooperation for formulating regional climate change adaptation strategies.**
- ▶ **7. Intensify regional activities in support of the *WSSD Plan of Implementation* and the *Jakarta Mandate* of the Convention on Biological Diversity, notably by identifying critical issues of marine biodiversity, protecting its major components, and promoting its sustainable use; more specifically, focusing on:**
 - ▶ **a. Addressing the protection of i) marine biodiversity beyond areas of national jurisdiction; and ii) deep-sea biodiversity at the regional scale;**
 - ▶ **b. Cooperation with FAO and regional fisheries management organisations (RFMO) to address environmental impacts of fisheries and promote an ecosystem management approach;**
 - ▶ **c. Participation in the Coral Reef Initiative and the implementation of the SIDS Mauritius Strategy, as appropriate.**
- ▶ **8. Recognize the need for *economic valuation of marine and coastal ecosystem services* for decision making and policy formulation.**
- ▶ **9. Facilitating the *mainstreaming of its activities within broader development and economic planning processes* including the poverty reduction strategies in developing countries**

UNEP Marine Priorities

2007 Workshop

- The six cross-cutting priorities are:

1. Climate change.
2. Disasters and conflicts.
3. Ecosystems management.
4. **Environmental governance.**
5. Harmful substances and hazardous waste.
6. Resource efficiency.

- The seven priority areas in marine and coastal management identified:

1. Pollution from land-based activities (LBA) including excessive nutrients and marine litter.
2. Physical alteration and destruction of habitats, including through aquaculture.
3. Impact of climate change on oceans and coasts.
4. Marine and coastal biodiversity, including deep seas.
5. Environmental aspects of fisheries.
6. Environmental aspects of high seas and seabed management and governance (beyond areas of national jurisdiction).
7. Vulnerability of islands.

UNEP's Coastal and Marine Medium term Strategy (2010-2013)

- Four overarching strategic objectives based on the 7 priority areas identified in 2007:
 1. **Land–Ocean Connections:** to integrate the management of coastal watersheds, the coastal area (including cities) and the marine environment to optimize the ecosystem services and resilience of marine and coastal systems.
 2. **Ecosystems for Humanity:** to identify, assess and value the status, key drivers of change and services of marine and coastal ecosystems and their link to human well-being.
 3. **Reconciling Use and Conservation:** to ensure that appropriate governance frameworks, management tools, capacity and options are available for regions, countries, communities and the private sector to effectively engage in the sustainable management of marine and coastal ecosystems including reconciling competing uses.
 4. **Vulnerable People and Places:** to strengthen the ecological, economic and social resilience of vulnerable communities and places including SIDS, including SIDS, to improve access and benefit sharing arrangements and to adapt and respond to natural disasters and climate change.

III. Gaps

IV. Conclusions: Bridging the Gap

1. Importance of regional governance and the role of UNEP RSP
2. Rio +20 “The Future We want” committed to strengthening UNEP as the environmental pillar.
3. Rio + 20 Oceans and Coasts did not refer to the role of the RSP.
4. Asymmetrical legal framework among the different RSPs.
5. UNEP Strategies, priorities and objectives do not reflect the asymmetry within the RSP
6. Need to understand what has worked within the RSP and how to duplicate this in a systematic approach to all RSP (eg. Mediterranean Sea)
7. Is there a governance gap?
8. IUCN role?

Thank you